

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 00-06284-CR-LENARD/LOUIS

UNITED STATES OF AMERICA,

v.

DAVID I. ALTMAN,

Defendant.


**ORDER ADOPTING REPORT OF MAGISTRATE JUDGE (D.E. 107), AND
DENYING APPLICATION TO PROCEED ON APPEAL WITHOUT
PREPAYMENT OF FEES OR COSTS (D.E. 105)**

THIS CAUSE is before the Court on the Report of Magistrate Judge Lauren F. Louis, (“Report,” D.E. 107), issued on October 15, 2021, recommending that the Court deny Defendant David I. Altman’s Application to Proceed on Appeal Without Prepayment of Fees or Costs, (“Application,” D.E. 105), filed September 20, 2021. Specifically, Judge Louis recommends that the Court deny the Application because the appeal is utterly meritless and therefore not taken in good faith. (Report at 3.) The Report provides the Parties with fourteen (14) days to file objections. As of the date of this Order, no objections have been filed. Failure to file objections shall bar parties from attacking on appeal the factual findings contained in the report. See Resolution Trust Corp. v. Hallmark Builders, Inc., 996 F.2d 1144, 1149 (11th Cir. 1993). Therefore, after an independent review of the Report and record, it is hereby **ORDERED AND ADJUDGED** that:

1. The Report and Recommendation of the Magistrate Judge (D.E. 107) issued on October 15, 2021, is **ADOPTED**; and

2. Defendant's Application to Proceed on Appeal Without Prepayment of Fees or Costs (D.E. 105) is **DENIED**.

DONE AND ORDERED in Chambers at Miami, Florida this 16th day of November, 2021.


JOAN A. LENARD
UNITED STATES DISTRICT JUDGE